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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope with sufficient postage as first class mail and addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: November 30, 2004

Janet Szol
Janet Szol

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

US PATENT APPLICATION PUBLICATION: 2004/0191198A1

PUBLICATION DATE: September 30, 2004

SERIAL NUMBER: 10/810,671

FILING DATE: March 29, 2004

APPLICANT: Veronika Hochstein et al.

APPLICANT ATTY. DOCKET: Merck-2867

TITLE: Pigment Mixture and the Use Thereof in Cosmetics and in the Foods and Pharmaceuticals Sector

Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

THIRD PARTY SUBMISSION UNDER 37 CFR §1.99

The undersigned hereby files a third party submission in the above-identified US patent application published on September 30, 2004. This submission is filed within two months of said publication. According to the www.uspto.gov's PAIRS, a notice of allowance has not been mailed in the above-identified US patent application publication.

Please charge the \$180.00 fee set forth in 37 CFR §1.17(p) to Deposit Account 05-1070.

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A list of the enclosed documents including the publication date follows:
Engelhard Chameleon Galaxy Plum Nail Enamel brochure published 2000;
Engelhard Styling Gel publication brochure published 2000;
Japanese Patent Publication 11340 published January 16, 2001 (English translation is enclosed.)

Engelhard Smokes and Sparkles Body Powder Misty Taupe brochure published 2002;

IP.com posting published February 6, 2002;

WO 02/090448A2 published November 14, 2002; and

WO 03/006558A2 published January 23, 2003.

This submission is also being served under 37 CFR § 1.248 on Applicant at its correspondence address: John A. Sopp, Millen, White, Zelano, and Branigan, 2200 Clarendon Boulevard, Suite 1400, Arlington, Virginia 22201.

Respectfully submitted,

Melanie L. Brown
Melanie L. Brown
Reg. No. 31,592

Enclosures

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3.14.03
6.15.03
1.1.03